

UNITED STATES DISTRICT COURT FOR THE  
SOUTHERN DISTRICT OF GEORGIA  
WAYCROSS DIVISION

FILED  
U.S. DISTRICT COURT  
SAVANNAH DIV.

2007 MAY 23 PM 3:23

CLERK *m. Santos*  
SO. DIST. OF GA.

UNITED STATES OF AMERICA

v.

JAMES LEE, ET AL.

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CR 505-21


VIO: 21 U.S.C. § 841(a)(1)

**ORDER OF DISMISSAL**

The Court has determined that the above referenced case has not been tried or reached disposition by the time limits set by Speedy Trial Act, 18 U.S.C. § 3161 et seq. due solely to oversights by personnel in the district court clerk's office and without any fault by the parties. Moreover, the defendants have not moved for dismissal due to the failure to meet the 70 day arraignment-or-appearance-to-trial time limit or raised any claim of prejudice or harm.

Viewing the totality of the circumstances in light of the constitutional standards announced in *Barker v. Wingo*, 407 U.S. 514 (1972) and the statutory factors considered under 18 U.S.C. § 3162 (a)(2), the Court concludes this case should be dismissed without prejudice. Accordingly, it is Ordered, Adjudged and Decreed by this Court, ex mero motu, that this case is hereby Dismissed Without Prejudice.

SO ORDERED this 23<sup>rd</sup> day of May, 2007 at Savannah, Georgia.

  
WILLIAM T. MOORE, JR.  
CHIEF JUDGE  
UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF GEORGIA